

Cedar City

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www.cedarcity.org

Mayor
Maile L. Wilson

Council Members
Ronald R. Adams
John Black
Paul Cozzens
Don Marchant
Fred C Rowley

City Manager
Rick Holman

CITY COUNCIL MEETING
SEPTEMBER 24, 2014
IMMEDIATELY FOLLOWING THE RDA MEETING

The City Council meeting will be held in the Council Chambers at the City Office, 10 North Main Street, Cedar City, Utah. The agenda will consist of the following items:

I. Call to Order

II. Business Agenda
Public

Consent Agenda

1. Approval of minutes dated September 3, 15, & 17, 2014
2. Approval of bills dated September 19, 2014
3. Approve a bond agreement with the Frontage Group, LLC – Platt & Platt Engineering /Paul Bittmenn
4. Approve a corrective deed to Sunset Ridge Village L.C. – Paul Bittmenn
5. Approve a mining rights lease with Coal Creek Gravel, LLC – Paul Bittmenn

Action Agenda

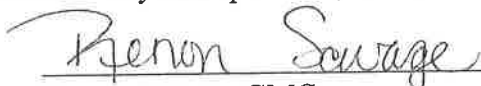
6. Approve final plat & bond agreement for Temple View heights Subdivision in the vicinity of 150 S. Kingsbury Drive – Justin Barnes
7. Executive Session – Reasonably Imminent Litigation

Dated this 22nd day of September, 2014.


Renon Savage, CMC
City Recorder

CERTIFICATE OF DELIVERY:

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 22nd day of September, 2014.


Renon Savage, CMC
City Recorder

Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the City not later than the day before the meeting and we will try to provide whatever assistance may be required.

COUNCIL MINUTES
SEPTEMBER 3, 2014

The City Council held a meeting on Wednesday, September 3, 2014, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant; Fred Rowley.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Leisure Services Director Dan Rodgerson; Parks & Outdoor Facilities Director Austin Bingham; Fire Marshal Mike Phillips; Public Works Director Ryan Marshall; Airport Manager Russ Volk.

OTHERS PRESENT: Mark Imlay, LynAnn Imlay, Justin Barnes, Simeon Amankwa, Ryan Brown, Marsha Perkins, Kolby Spring, Yvonne Hatt, Armond Yourat, Tom Jett, Stephanie Furnival, Troy Little, Holly Coombs.

CALL TO ORDER: Sister Yvonne Hatt of Christ the King Catholic Church gave the opening prayer; the pledge of allegiance was led by Scouts from Troop 345.

AGENDA ORDER APPROVAL: Councilmember Adams moved to approve the agenda order; second by Councilmember Black; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Rick – follow up from last week, the parking lot lights between the parking structure and Jolley's are repaired. The lights on the downtown trees will start to be put up in the next few weeks. The RFP for repair of the north and south entrance signs has been prepared, we will let you know when it is sent out. ■ Employee of the Month is Jimmy Duffey from Fleet Management; it was presented in his department.

PUBLIC COMMENTS: ■Armond Young, ambassador from Charlestown WV. 7 years ago said he would change the world, the pole you see at the back of the room is the most signed object in the world with 635,000 signatures on it, with over 500 celebrities on it, and it has most families represented from 9/11, and surviving fire fighters and EMT's from ground zero, I want to change the world and honor all the fallen soldiers and those that died on 9/11. I just walked from California to Ground Zero and now I am walking back from Ground Zero to California, and I am doing one million acts of kindness by changing lives as I walk. I have helped many as I walk into towns and find those with a need of a home, job or a meal. I have been nominated for numerous awards, but that is not what I want. I am trying to get a million signatures on the pole committing people to make an act of kindness, I invite all of you to sign the pole before I leave tonight. I also take pictures for people making peace signs and put them on my Facebook account. I would like you all to be a part of that.

**PUBLIC HEARING TO CONSIDER A HERITAGE CENTER FEE WAIVER
(SPONSORSHIP) FOR THE IRON COUNTY CHILDREN'S JUSTICE CENTER
FUNDRAISER – STEPHANIE FURNIVAL:**

Stephanie – Director of Children's Justice Center, I would like to give you information about our center and about the fund raiser. We opened in June 2002 and serve Iron, Beaver and Garfield County, we started out in the Police Department for temporary housing until we got in our home which is the old doctor's office. We have been there for quite some time, it is a nice safe place where if there is an allegation of any abuse the children are brought to the Center which is more like a house. Once an allegation law enforcement and child and protective service come together for a forensic interview and our staff meets with the family during this time. We have quite a few members of the Advisory Board. We are in the process of opening an onsite medical exam room. A child comes to our facility for the forensic interview and then we refer them to ER and they wait for those that are qualified to care for them. They can also go to a regular doctor's office and they have to wait. There are 20 centers in the State of Utah; we are working at getting Beaver and Kane as a satellite office. We are looking at an onsite medical exam room so when the children come to the facility, we do the forensic interview and a forensic medical examiner employed by Primary Children's Medical Center and they could do this right there. I have been able to write a grant for the medical supplies, but the supplies are very expensive. We are working on a fund raiser, we have done our 5k fun run, we decided to do something different this year, and we are doing Dancing with the Community Stars. The Community Stars are: Mayor Wilson, Dolly Trujillo-Wearn who is President of the Rotary Club, Commander Dave Evans of the Task Force, Attorney Justin Wayment, County Assessor Cindy Bulloch, and Agent Jesse Robinson of Farmers Insurance, and they will be linked with a ballroom professional from SUU. The event will be held September 20th at the Heritage Center. We have a few local judges as well, County Attorney Scott Garrett, Piute County Attorney Scott Burns and Heather Fisher to be the judges. We want it to be fun and family oriented. There is a lot of information provided in the packet given to you. People come together to serve the children who have been victimized. When we called and talked with Jason at the Heritage Center he told us there is \$1,000 fee to use the center, so we would like Cedar to be a co-sponsor for the Dancing with the Community Stars and your part would be to provide the facility.

Marchant – I have been lobbied by 2 of your members Steve Wimer and my brother Chris Marchant who speak highly of the organization and the work they do. We have to be very careful when we sponsor or waive fees. I am in favor of what is going to happen; the funding is to furnish this room? Yes. The individual to be the medical examiner is employed by Primary Children Medical Center? Yes. Rowley – what will this person do? Stephanie - She is a professor at SUU. Rowley – I am saddened by the number of children coming in each year. I hope you are finding those that have not been found, I hope they are not increasing. Chief Allinson – when we first talked about the Children's Justice Center we recognized how critical this was, my detectives were there about 15 times last week. I look at this, and I have set through a lot of meetings, but this is an impact on the City and our operation and this room will make the cases stronger and better to go to trial, we can interview, examine and gather the evidence. The time lapse difference makes a case stronger. It is such a part of the Police Department's

involvement, it is almost our function. I don't think a sponsorship is out of line like some of the others. Cozzens – that helps me a lot. Everyone that wants a waiver has a good reason. Rowley – it is almost an extension of the City office. Black – what is the charge? Stephanie - \$15 or \$50 for a family of 4. We want everyone to come and have a great evening. We have talked with SUU, the costumes will be tasteful. Adams – do you work with other groups like BACA on referrals? Stephanie – no, we work with the AG's office but our funding is through the County, we are not allowed to refer to other agencies. The families can contact them, we are not allowed to. BACA has come out and served water through the fun runs, they help, but we don't refer.

Mayor Wilson opened the public hearing. LynAnn Imlay, on Children Justice Center Friend's Board, when I was on the School Board I know the School District gave money to two different entities which I thought was weird, it was to Music Arts and Frontier Homestead State Park as sponsors because they got something back for the students so I appreciated the relationship. You can see a correlation to this setting. There were no other comments. The hearing closed.

Black – we don't meet for two weeks; will that be an issue for the advertising? Stephanie – we discussed that but felt that because that is where we wanted to hold the event and if we need to take funds from ticket pricing we will have to do that. Black – do we need to be mentioned in advertising if we are a co-sponsor? Rick – it would be appropriate. Stephanie – the event is 3 days after the vote. Erica Hansen is the MC, she was Miss Iron County and was a victim of violence and we will have her mention you as a co-sponsor. Rick – one option if you want to meet before then you could have a special action meeting. Black – do we have a legal responsibility? Paul – no. Stephanie – we could mention you on the program. Paul – the mayor and two council members can call a special meeting if you want to do that. We need time to publish. Tom Jett – as a citizen it is a fantastic organization, I know a lot of children that have received services. You passed an ordinance to electronically have meetings if you are out of town. Marchant – could we notice a meeting for Salt Lake City? Paul – yes, but you would have to post, record and take minutes. Rick – if you are expecting sponsorship opportunities they are running the risk if the vote didn't go in favor on the 17th. Mayor – it can be on the consent agenda and they could list the City as a sponsor on their programs. Consent.

CONSIDER AN EASEMENT TO SOUTH CENTRAL COMMUNICATIONS AT THE SOUTH END OF THE AIRPORT PROPERTY, NORTH OF U-56 – MIKE SAVAGE:

Mike – at South Central we provide telephone and internet, cable TV for about 70 years in the smaller communities. This is a departure of the way we have done business in Cedar City. AT&T kept Cedar City, we have been letting business fund the growth. This project, we are spread out around the City, but there was not a lot of planning, so we need to spend some money to provide service to the community. We would like to go through the industrial area to provide fiber optics, a number of the industrial users have contacted us. We have fiber on Lund Highway, so we would like to come across the south end of the Airport property and there are also two private property owners who we are still in negotiations with. The project will start at Lund Hwy and run across the City property and Aviation Way past the Airport and into the industrial park

and across I-15 and end up at the hospital. This will provide us opportunity to serve those in the area. Rowley – what is the diameter of the glass itself? Mike - 144 fibers. Rowley – it will carry everything we need in the neighborhood? Mike – we are launching fiber to homes and that is our goal eventually. If we get to that point in Cedar City then the fiber would have to have equipment installed to split. Rowley – it is in conduit? Mike – yes. We will do a lot of boring, there are some washes. We also use a plow that pulls behind a track vehicle. Marchant – you will only lay cable? Mike – correct, we don't anticipate you will develop the end of your runway. There would be nothing but conduit and fiber along the City property. We will place a pedestal for the service areas. Rowley – is there redundancy in the area? Mike – yes, it gives us additional firer capacity to the hospital. Black – any issues with the Airport? Rick – it is a benefit for Aviation Way. Russ – this is between the existing parameter fence and the railroad tracks, it is outside the fence, I don't anticipate any problems. Consent.

CONSIDER FINAL PLAT APPROVAL & BOND AGREEMENT FOR TEMPLE VIEW HEIGHTS SUBDIVISION IN THE VICINITY OF 150 S. KINGSBURY DRIVE– JUSTIN BARNES: Justin – we brought a check on Friday to pay all the fees. We will complete tomorrow the loan proceeds and the letter of credit. Rowley – this is not something we typically like to do. Paul – the bond will be in before the vote. We will pull the item if we don't have a bond. Black – is there a problem with one way in and out? Kit – not yet, the rule is 80 lots, this will bring them to 60. Action.

CONSIDER COOPERATIVE AGENCY AGREEMENT FOR FEDERAL AVIATION ADMINISTRATION AIP GRANT 28 – RUSS VOLK: Russ – when we do Federal Grants the reimbursement is distributed through the State Division of Aeronautics, this is protocol. This is a formal agreement with the City and Division of Aeronautics to be used for pass through funds. Consent.

CONSIDER REQUEST TO TRANSFER \$22,000 IN CAPITAL FUNDS FROM CANYONS PARK WALL PROJECT TO CANYONS PARK PLAYGROUND PROJECTS – DAN RODGERSON: Dan – swing by Cross Hollows tomorrow, all the kids are coming in for the Stock Show and the College Rodeo on Friday.

A project we have had brewing for over a year. Two years ago residents next to West Canyon Park came to get a larger wall. We had a mason on staff and put this in our budget instead of bidding it out. RAP Tax funded two 2 new playgrounds, East Canyon Park and Canyon ball fields. We sent out RFP's for 2 playgrounds, we received 9, we displayed them to P&R and narrowed it to 2 and then put it out on our Facebook Page for a survey and this is the choice. A walkway makes the project cleaner with the playground on one side and the grass on the other side. We want to pour the concrete barrier on West Canyon, East Canyon and the project at the ball fields. We have the funds to proceed to put plastic landscape boarders, but we saved money on the other project so we would like to do the concrete. We are also proposing wood chips instead of sand; the long term maintenance is less. We want to take the funds saved and do the 3 parks. Rowley – is there a minimum distance to the sidewalk? Dan – there are fall zones, the playground manufacturer establishes those, we gave them to Troy and he laid

it out. We are also connecting the east bench trail to West Canyon Park and it is a sad looking area, this is an opportunity to take funds earmarked to the park, but it is a different project. Consent.

REVIEW 2014 UPDATES TO THE CEDAR CITY ENGINEERING STANDARDS

– KIT WAREHAM : Kit – every couple years we update our engineering standards to keep them current and reflect what we want in them. We have 20 items, see exhibit “A” for the changes. Rowley – I asked at Planning Commission the increases and decreases for the developers. Kit – there are very minimal. Rick – I appreciate Kit’s approach is because he listens to the Public Works guys to help them. Action.

ADJOURN: Councilmember Marchant moved to adjourn at 6:33 p.m.; second by Councilmember Cozzens; vote unanimous.

Renon Savage, CMC
City Recorder

**CEDAR CITY
ENGINEERING STANDARDS
2014
UP-DATES
(* Indicates a Significant Change)**

	Specification Modifications	
Section/Table	Description of Change	Construction Cost Change
1 Table of Contents	Modified to change to page numbers resulting from the proposed changes.	No Change
4.2.1.IV.H.2	Required that isolation valves for water lateral connections to water mains shall be corporation stops for 1 inch and less size water laterals and gate valves for 1-1/2 inch and 2 inch water laterals.	No Change
Section 3.3.2 Flood Control and Drainage System Improvements	Specified the duration of all design storms is 24 hours.	No Change
Section 4.2.1.IV Water Pipe and Fittings	Require that all exposed nuts and bolts on all water system valves, fittings and fire hydrants, not including the flange nuts and bolts, shall be 304 or 316 stainless steel	Increase
4.3.1.III Bituminous Surface Course Material New Paragraph C.	Allow the use of a maximum of 15% Recycled Asphalt Product (RAP) in street asphalt material	Decrease
3.2.3 Cul-De-Sacs	Added a sentence to this section that cul-de-sacs, per the standard detail, shall be placed on any permanent dead end of a city street	No Change
Table 4.12 Street Light Fixtures	Set a minimum lumen output for street lights instead of wattage as follows: Local-3500, Commercial- 6500, Industrial-12500	No Change

	Drawing Modifications	
Drawing	Change Description	Construction Cost Change
All Details	Change date on all details to 2014.	No Change
R-17 Sidewalk Retaining Wall	Added Standard Detail for Sidewalk 16 inch Landscape Block Retaining Wall	Increase
R -14, 15 and 16 Street Lights	Required concrete expansion joint material to be placed around concrete bases for street lights if lights are placed in sidewalks	Increase
D-5 Storm Drain Manhole	Change concrete grade rings for manhole lid to 30" corrugated plastic pipe, length cut to fit.	Decrease
S-2 Sewer Manhole	Added detail for sewer manhole in unimproved area with lid placed 12 inches above grade and supported on flowable fill from pipe to grade ring with a locator post.	Increase
W-11 Water Line Air/Vac Detail	Added Water line Air/Vac Detail	No Change
C-1 Curb and Gutter	Added new detail for curb plates for handicapped access ramps	No Change
S-1 Sewer Lateral	Added a note 7 stating that an old sewer lateral tap is required to be capped at the sewer main when a new sewer lateral replacing an old lateral is installed on the sewer main and does not use the main line connection where the old lateral was tapped.	No Change
S-1 Sewer Lateral	Added a note 7 stating that it is prohibited to connect any sewer lateral into a sewer main line manhole	No Change
R-10 Signs and Asphalt Taper	Removed the word "Installation" on the detail title and added a note stating that all sign sizes shall not be less than the size sizes for Conventional Roads as recommended in the latest version of the Manual on Uniform Traffic Control Devices (MUTCD)	No Change
S-4 Sewer Sampling Manhole	Moved the connection for the domestic sewer discharge downstream of the sewer sampling manhole.	No Change
W-1 Water Valve Box and Blow-off	Added a detail for valve extensions as stated in existing note	No Change

SPECIAL COUNCIL WORK MINUTES
SEPTEMBER 15, 2014

The City Council held a special work meeting on Wednesday, September 15, 2014, at 1:00 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; Paul Cozzens; Don Marchant; Fred Rowley.

MEMBERS EXCUSED: Councilmember John Black.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Recorder, Renon Savage; Finance Director Jason Norris

OTHERS PRESENT: Pat Brajnikoff, April Hill, Sheena Clark, Cathy Wentz, Stephanie Furnival, Greg Culter.

PUBLIC HEARING TO CONSIDER COMMUNITY PROMOTION DONATION REQUESTS FOR FISCAL YEAR 2014 – JASON NORRIS:

Canyon Creek Women's Crisis Center: Sheena Clark, since 2008 I have been the Coordinator of the Mobile Crisis. We requested \$10,000 2% of our overall budget. We are a 501c3, the revenue breakdown is shown on Exhibit "A". We are soliciting funding from other places. We have very little support from the local community, and we do need more support from local community. There are about 13 other non-profit domestic violence shelters in Utah that all receive support from their local government. We provide free assistance for domestic violence and sexual assault victims. We have an emergency shelter, 24 hours a day. The regular shelter is consistently full and we are turning people away and at times transporting people to other communities when they need to be here for jobs, school, etc. We help people that don't need shelter here, help with protective orders, go to court with them, etc. We have transitional housing program to help people find housing and help sustain them from 1 – 2 years and we can do about 5 of those each year. We are running one domestic violence support group and hopefully we want to get a youth and rape & sexual assault group going. We want to offer this free. Cindy Baldwin is the Executive Director, she could not be here today, and she is in Salt Lake for meetings. Thank you for support last year, we hope to receive funding. Please recognize the services we offer 24 hours a day. We are on the front line and need your support. Think outside the box. People cannot thrive in the community when things are stripped from them. Please consider us as a line item in your budget next year.

Domestic violence is not a private issue, it is a family issue held in a home. It is a community issue and public health issue. It affects the whole community. We have at least 3 domestic violence homicides going through the court system right now. Numerous court related actions each day, those are only the ones reported. A domestic can start in a home and then move out into the community. It is an issue and we offer services free of charge. Most of our funding has restrictions.

Rowley – your shelter and officers are in two different places, economical advantage to combine them? Sheena – This is done so we can remain confidential of the clients.
Rowley – who is helping the men, they are a big part. Sheena - We can assist them at the average center. We can only serve the victims. The Court mandates the person offending to have counseling.

Rowley - how much money do we have? Mayor - \$15,000. We will have all the presentations and then make recommendations on Wednesday in our meeting. Rowley - How many are served each year? Sheena – total number is 812 which includes adult, children and out-reach. Rowley – Cedar city residents? Sheena - we serve Iron, Garfield and Beaver counties. Rowley – the County is not a contributor. Sheena – I don't know why or if Cindy has approached them. The other counties feel we have the shelter here so we don't help, but we drive over to the other counties to help in court, etc. Rowley – it is a wonderful program.

Adams – what percentage goes to the mobile response crisis team? Sheena – we took over the State grant, it is a big amount, but goes to wages and travel, I don't know the percentage. The grant is very restricted on what we can spend it on. We don't have a lot for education.

Iron County Care and Share: April Hill, Executive Director of Iron County Care and Share. Thank you for the ongoing support. We have also asked for \$10,000, our budget is approximately \$430,000. Our main reason is we would like to hire a staff member to work in the shelter so it is open 24 hours a day. Right now they are out on weekend. We cannot offer the clients living in the County any assistance on the weekend. We are the largest shelter from Provo to St. George. Year to date we have 294 homeless individuals, 24 children, 18 adults over the age of 60. We would like the disabled adults to remain in the facility during the day. Cozzens – how many days can they stay? April – the State says 30 days, but it is a case by case basis. 60% have found housing or reunited with a family member. We pick up 50,000 pounds of food from the stores; we offer a lot of support in the area and outside the area.

Pat Brajnikoff – I have been a board member since 2008, we recently had to cut this position, we had a weekend shelter monitor but had a payroll crisis and eliminated the position. It is also closed during the day on week days. We have a case manager Monday through Friday. In the past month we have eliminated the disabled leaving, but we need the weekend monitor. We have a couple women recovering from breast cancer and we had to send them out on Saturday and Sunday. This is harmful to the client and the community. If they don't have a way to get basic needs, they go to survival mode. Cozzens – I can see it is critical for some to have a place to stay. Do you have some that are too comfortable? April – yes, and we did make them leave, but we also send out the disabled. Rowley – how close do you work with the employment center, do you coordinate? April – yes, we talk with them daily. If they are not capable to care for themselves, we help them apply for food stamps. Rowley – it is not possible to have a tenant take on the supervisory? April – we tried that and it is against the labor law.

Marchant – what is the basic source of funding? April – grants and local funding. Pat – we have 55% in grants. We also go for other private funding to help with salary. It is the Boards responsibility to raise the money. We just had a golf tournament and raised over \$10,000. Rowley – you cannot trade in-kind and pay minimum wage. April – we pay minimum wage. For the food pantry we serve the 5 county area. Marchant – do you get support from the other counties? April – we get funding from Five County AOG. Beaver Sheriff will drive us homeless individuals to Cedar and drop them off. We don't get funding from the various cities. Rowley – can we tell them not to do that? April – no, I don't think we want to. Cozzens – it is a great service, I picked up an old man hitchhiking in the canyon and it is a good place to take them for help. April – we want them and the community to be safe. Pat – they can only stay in the shelter for a period of time and they have to work with a case manager, trying to get a job. Cozzens – right now people can find a job. April – we have several clients working right now. We have already assisted 30 families to obtain housing through grant money; we can help for 4 months. Cozzens – what is the success rate of that? April – with families about 80%, with homeless it requires a lot more care and it is about 50%. They don't know how to be in a small box, you have to teach them how to even shop. Our case management is very intensive and hands on. We take people to St. George for treatment. Marchant – how do you do this, it seems to be the women. Are there male counterparts? I applaud you for what you do and for those you work with. April – we have a staff of 9, year to date we have had 3100 hours of volunteer service. If you are driving a homeless individual to St. George you have to take a staff member. Pat – there are 3 or 4 male members that are all volunteers. Rowley – do the evaluations come through SW Mental health? April – sometimes, but not often. Adams – in the past the Iron County Board of Realtors have been able to help with transitional housing. We have changed policies and it would help serve the transitional housing. You can contact me after the meeting. I will be chairing the committee for the State in 2015; I think we can get money that was cut off after the last grant.

Iron County Search & Rescue: Greg Coulter, Treasurer. We are requesting money to help us maintain, equip and train our guys. We have 25 volunteers. Last year we did rodeos, the bike race, half-marathon, flooding, lost individuals. We have a 24-hour response unit. We did 250 hours for Cedar City alone. We are requesting what you can give us. Marchant – you are the Iron County Search & Rescue. Greg – yes, and we get \$8,000 with the Sheriff's budget. He leased a Sno-Cat and saved a ton of money, same with the ambulance. Everyone is working to save money and do the best we can. We have cut back on things we really need.

Iron County Children's Justice Center: Stephanie Furnival – I presented a week ago. Marchant – it is an opportunity for a different approach. Stephanie – the State wants the CJC to be part of the community, they ask that the community provide the housing. We have a nice facility where people are brought for a forensic interview and have done that since 2002. Dancing with Stars will help us with a medical forensic room. We have two interview rooms. We can still utilize it as a second interview room if needed. Currently if a child comes in for sexual or physical interview they come and then are referred to the ER or a medical provider to a time that a child can get that. Sometimes children have

to wait. We the room on site they receive their forensic interview and then two doors down they would get their medical exam. The doctor is employed by Primary Children's Medical Center. It is a matter of getting the needed equipment. We do a few fund raisers a year. We know the community gets hit a lot by great organizations. We apply for grants in the State and national. We do the ¼ marathon and golf tournament for some time, this dancing with community stars is a new one. We are charging \$15 per ticket. We have great community stars that will participate. This will help take care of the equipment costs for the exam room. Rowley – how much interaction with the Women's Crisis Center and Care and Share? Stephanie – we have quite a bit of interaction with Women's Crisis Team, but not so much with Care & Share. We have 35 partnering agencies.

Cozzens – I would like to recommend we do \$6,000, \$6,000, \$2,000 and \$1,000. Mayor – are you interested in keeping any money for if something comes up? Rowley – everyone knows how it works and we tell them we did that in September, so sorry. Cozzens – you have a little latitude with the mayor's budget. Rowley – we had 63% of the funding, this rounds it out to give 63% of what they requested. Cozzens – they all get more than last year. Adams – the only one I remember coming in the year is Special Olympics. Mayor – the Piute's come for the Pow Wow. Jason – the Lion's Club went to RAP Tax. We advertised this in the newspaper, also, the groups stay in contact and try and be proactive. A copy of the breakdown is attached as Exhibit "B".

ADJOURN: Councilmember Rowley moved to adjourn at 1:50 p.m.; second by Councilmember Marchant; vote unanimous.

Renon Savage, CMC
City Recorder

COUNCIL MINUTES
SEPTEMBER 17, 2014

The City Council held a meeting on Wednesday, September 17, 2014, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant; Fred Rowley.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Paul Irons; Leisure Services Director Dan Rodgerson; Economic Development Coordinator Danny Stewart.

OTHERS PRESENT: Deborah K. Snider, Charles Jett, Thomas Jett, Pat Jones, Dawn Jones, Jeff Lowe, Terry Irons, Michael Savage, Cassi Orton, Blake DeMille, Madison Day, Mandy Stout, Brittany Conner, Cindy Baldwin, Evan Whipple, Keith Rhoton, Jason Wilson, Wayne Clark, Becki Bronson, Terri Drager, Matthew Allen, Ethan Allen, Trevor Templin, Ethan Hess, Mike Green, Alan Moses

CALL TO ORDER: Pastor Bob of Trinity Lutheran Church gave the opening prayer; the pledge of allegiance was led by Troop 1865.

AGENDA ORDER APPROVAL: Mayor asked that item 7 & 8 be switched so item 7 can be removed if approved in item 8. Also on the work meeting remove item #2 BLM cooperative agreement and #5 the SUCOM Resolution. Paul asked that item #6 on the action meeting be tabled; they are still working with the bank on bonding.

Councilmember Cozzens moved to approve the agenda order for Action, Work and RDA meetings with the stated changes; second by Councilmember Black; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■Black - the council got ahead of itself on some correspondence and I would like a letter sent to Jason Wilson with an apology. ■Rowley – what are the arrangements with the Lion's Club and the rodeo, is the facility rented. Dan – they pay a percentage of what they make under a comprehensive agreement that was approved by Council that is the concessions. Rowley – what about the arena? Dan – they rent it. ■Cozzens – I want to introduce Troop 1865, Leaders Mike Green and Matt Allen, and scouts Ethan Allen, Trevor Templin, Ethan Hess and Alan Moses. ■Mayor – remind everyone that this Saturday is the Community Dancing with the Stars at 7:30 p.m., tickets are \$15 and the proceeds go toward a medical exam room for the Children's Justice Center. ■Recognize Dawn Jones – Chief Allinson: We want to thank Dawn Jones, recently we had a rash of auto burglaries in town; we got a surveillance picture but were unable to identify the man, and he was stealing credit cards and using them as well. Our officer went to the local Maverick with a photo and asked if they would call if he came in. Dawn recognized him, and he made a purchase with a credit card so she asked for his

ID and then called the Police Department. From that we were able to find him. We have 12 cases we have cleared, \$12,000 in property recovered. I have a detective in Las Vegas picking up property sold at a Pawn Shop. We have a letter of appreciation and a challenge coin; we take a lot of pride in the coin. Thank you.

PUBLIC COMMENTS: ■ Deborah Snider, President of Cedar City Arts Council, Danny Stewart joined our council and has been a tremendous asset. Councilman Rowley has also joined us. We awarded \$2,000 in mini grants to 4 applicants that have never applied before. We have awarded over \$18,000 over the past 7 years. We have a lot going on, See Exhibit "A". We have a lab for high school students and a networking social on Friday night. Our membership has grown by 300%. Rowley – these grants are for those that have talent and skills to get a kick start for equipment they need. The funding is partially from the RAP Tax and the money helps the community. ■ Maddison Day, Andy Stout, Britney Connor from SUUSA – we have a thank you card for participating in the Paint the Town Red. Maddison - We had about 3,000 people attend, about a 1,000 more than last year. ■ Jason Wilson – Saturday is the annual health fair from 9-1 pm at the Hospital. There will be flu shots and 15 other booths for free screenings; we welcome the council and city leadership to come out. Also as a Vice Chair of the Children's Justice Center I want to thank the Mayor for participating to raise money for a good cause.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED AUGUST 20, 26, & 27, 2014; (2) APPROVAL OF BILLS DATED SEPTEMBER 5 & 11, 2014 ; (3) APPROVE AN EASEMENT TO SOUTH CENTRAL COMMUNICATIONS AT THE SOUTH END OF THE AIRPORT PROPERTY, NORTH OF U-56 – MIKE SAVAGE; (4) APPROVE COOPERATIVE AGENCY AGREEMENT FOR FEDERAL AVIATION ADMINISTRATION AIP GRANT 28 – RUSS VOLK; (5) APPROVE THE TRANSFER \$22,000 IN CAPITAL FUNDS FROM CANYONS PARK WALL PROJECT TO CANYONS PARK PLAYGROUND PROJECTS – DAN RODGERSON: Rowley - \$145,000 to Precision Pipeline, is that partial payment? Kit – yes. Rowley – how does trimming of trees interlock with chip sealing? Rick – some areas of towns the branches are low enough we cannot get under the trees with our trucks. Rowley – the towing went way up, did we notify the residents? Rick – we hand deliver flyers to each home. With the County getting the reverse 911 system, we can use that more effectively and notify people by phone as well. Rowley – chip seal has went way beyond this year, it is a wonderful thing. Marchant – thank you for doing 200 West.

Councilmember Rowley moved to approve the consent agenda items 1 through 5 as written above; second by Councilmember Adams; vote unanimous.

APPROVE FINAL PLAT & BOND AGREEMENT FOR TEMPLE VIEW HEIGHTS SUBDIVISION IN THE VICINITY OF 150 S. KINGSBURY DRIVE– JUSTIN BARNES: This item has been pulled.

CONSIDER HERITAGE CENTER FEE WAIVER (SPONSORSHIP) IN THE AMOUNT OF \$1,000 FOR THE IRON COUNTY CHILDREN'S JUSTICE CENTER FUNDRAISER – STEPHANIE FURNIVAL: This item has been pulled.

CONSIDER APPROVAL OF COMMUNITY PROMOTIONS DONATIONS – JASON NORRIS: Jason – unless you decided to change the allocations we have allocated \$6,000 to the Canyon Creek Women's Crisis Center, \$6,000 to Iron County Care and Share, \$1,000 to the Children's Justice Center, and \$2,000 to Iron County Search and Rescue.

Councilmember Black moved to approve the community promotions donations as stated above; second by Councilmember Cozzens; vote unanimous.

APPROVE A RESOLUTION UPDATING THE CEDAR CITY ENGINEERING STANDARDS – KIT WAREHAM: Councilmember Rowley moved to approve the resolution updating the City's Engineering Standards; second by Councilmember Cozzens; vote as follows:

AYE: 5
NAY: 0
ABSTAINED: 0

ADJOURN: Councilmember Cozzens moved to adjourn and move into the work meeting at 6:53 p.m.; second by Councilmember Rowley; vote unanimous.

Renon Savage, CMC
City Recorder



PROFESSIONAL DEVELOPMENT WORKSHOPS

2014-15 SCHEDULE

Because of the overwhelming success of last spring's Professional Development workshops, the Cedar City Arts Council will continue the series in response to requests from local artists who have little business experience, but who want to create a viable way to sell their art form. The eight classes (four fall, four spring) focus on a specific component of a business plan, so the artists that complete the series will possess a working business plan and have a clear direction of how they can proceed to create their artwork as a potential business.

Fall workshops will be held on Saturday mornings at Cedar City Aquatic Center from 10-12 on the following dates. Cost is free for members of the Art Council* or \$10 each for non-members. Workshop leaders are experienced in the real world of the session's emphasis.

**"These workshops were
wonderful – just what I
needed to know!"**

**- Spring workshop
participant**

Dates and Workshop Emphases

- | | |
|--|----------------------------------|
| • September 6, 2014 | Mission and Vision |
| • September 20, 2014 | Description and Market Analysis |
| • October 11, 2014 | Management team/Mentors/SWOT |
| • November 1, 2014 <i>held @ SWATC</i> | Marketing/Branding/ Logo |
| • January 17, 2015 | Finances |
| • January 31, 2015 | Grant Writing |
| • February 14, 2015 | Summary/Legal Issues (copyright) |
| • February 28, 2015 | Celebration! Present Plans/Art |

*Arts Council membership start at \$10 per year. Membership applications online or at the door.

For more information: www.cedarcityartscouncil.org or email Debbie Drake: ddrake1546@gmail.com

Report Criteria:

Detail report.
Invoices with totals above \$0 included.
Paid and unpaid invoices included.

Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
BETTRIDGE DISTRIBUTING, KEN					
589969	00844-FIRE DEPT-RED DIESEL	09/10/2014	10-73-251 GAS & OIL	419.02	
Total BETTRIDGE DISTRIBUTING, KEN:				419.02	
BLACKBURN ASSOCIATES					
#2 100 W. & 1700	100 W. & 1700 W. Waterline Project	09/15/2014	51-40-731 CAP OUTLAY-LINE REPLACEMENT	30,763.87	
Total BLACKBURN ASSOCIATES:				30,763.87	
BLUE STAKES OF UTAH					
UT201401774	CEDARC-STAKING CHARGES	07/31/2014	51-40-255 WATER SYSTEM MAINTENANCE	197.97	
UT20142014	CEDARC-STAKING CHARGES	08/31/2014	51-40-255 WATER SYSTEM MAINTENANCE	192.39	
Total BLUE STAKES OF UTAH :				390.36	
CASELLE					
59616	Support	09/01/2014	10-41-310 PROF & TECH SERVICES	858.00	
Total CASELLE:				858.00	
CEDAR CITY MUSIC ARTS					
2014/2015 RAP TA	RAP TAX DISBURSEMENT	09/11/2014	29-40-100 DISTRIBUTIONS TO ARTS	5,500.00	
Total CEDAR CITY MUSIC ARTS:				5,500.00	
COLMAN, TRIS					
08/01-08/02/14	SECURITY-TOU	08/04/2014	10-92-614 EVENT RECRUITING	900.00	
Total COLMAN, TRIS:				900.00	
COLONIAL LIFE					
3792991-0801687	E37462991	08/25/2014	10-73-942 FED GRANT-SAFER	1,434.72	
Total COLONIAL LIFE:				1,434.72	
COMMERCIAL TIRE					
38869	11R 24.5 TIRE	09/05/2014	10-78-930 INVENTORY	3,834.88	
Total COMMERCIAL TIRE:				3,834.88	
CURTIS & SONS, L.N.					
3149341-00	3999-PARTS-CHROME BALL CHAIN	08/29/2014	10-73-252 EQUIPMENT MAINTENANCE	28.31	
3149446-00	3999-CITROSQUEEZE	09/05/2014	10-73-261 JANITORIAL SUPPLIES	224.32	
3150237-00	3999-PARTS-RETRACTABLE STRAP	08/21/2014	10-73-450 SPECIAL PUBLIC SAFETY SUPPLIES	365.65	
3150492-00	3999-KNOB	08/15/2014	10-73-450 SPECIAL PUBLIC SAFETY SUPPLIES	37.19	
3150715-00	3999-AUTO PUMP/REBUILD KIT	08/29/2014	10-73-252 EQUIPMENT MAINTENANCE	223.12	
Total CURTIS & SONS, L.N.:				878.59	
DANVILLE SERVICES OF UTAH, LLC					
6623	CLEAN UP - EAST SIDE PARKING LOT	08/02/2014	56-41-262 BUILDING & GROUND MAINTENANCE	33.00	

Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
Total DANVILLE SERVICES OF UTAH, LLC:				33.00	
DEMILLE TURF FARM					
34193	SOD-WATER LEAKS	09/11/2014	51-40-255 WATER SYSTEM MAINTENANCE	30.00	
Total DEMILLE TURF FARM:				30.00	
DEPARTMENT OF AIRPORTS					
2014-006	ARFF COURSE/IFSAC CERT	08/22/2014	10-73-230 TRAVEL & TRAINING	8,145.00	
2014-006	ARFF COURSE/IFSAC CERT	08/22/2014	10-73-950 STATE GRANT-WILDLAND FIRE	1,810.00	
Total DEPARTMENT OF AIRPORTS:				9,955.00	
DOOR DOC PLUS					
202	SERVICE CALL/LABOR	09/08/2014	61-40-262 BUILDING & GROUND MAINTENANCE	96.75	
Total DOOR DOC PLUS:				96.75	
FASTENAL					
UTCED52868	CUT OFF BLADE	08/18/2014	10-73-262 BUILDING & GROUND MAINTENANCE	19.98	
Total FASTENAL:				19.98	
GALL'S, INC.					
002367710	0005300561-JACKETS	08/29/2014	10-70-625 CROSSING GUARD SUPPLIES	275.60	
002367710	0005300561-SHOES-BELT	08/29/2014	10-70-620 UNIFORM PURCHASE	167.59	
Total GALL'S, INC.:				443.19	
GLEAVE CONCRETE & SLIPFORM					
326	CONCRETE/WATER LEAKS	08/31/2014	51-40-256 MAINTENANCE-CONCRETE	2,027.00	
Total GLEAVE CONCRETE & SLIPFORM:				2,027.00	
HONNEN EQUIPMENT					
590339-1	BACKHOE REPAIR	09/01/2014	51-40-252 EQUIPMENT MAINTENANCE	142.00	
Total HONNEN EQUIPMENT:				142.00	
INTERMOUNTAIN CONCRETE SPEC					
1409-036282	MASTER SEAL & BACKER ROD	09/09/2014	10-73-262 BUILDING & GROUND MAINTENANCE	283.20	
Total INTERMOUNTAIN CONCRETE SPEC:				283.20	
IRON COUNTY SCHOOL DISTRICT					
29	bus rental	11/21/2013	10-92-614 EVENT RECRUITING	963.98	
Total IRON COUNTY SCHOOL DISTRICT:				963.98	
IRON MISSION MUSEUM FOUNDATION					
2014/2015	NATIVE HERITAGE EXHIBIT	09/09/2014	29-40-200 DISTRIBUTIONS TO PARKS	6,000.00	
Total IRON MISSION MUSEUM FOUNDATION:				6,000.00	
JACK'S TIRE & OIL					
264193-15	11R22-5 RETREADS	09/10/2014	10-78-930 INVENTORY	1,207.68	

Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
Total JACK'S TIRE & OIL:				1,207.68	
JENKINS OIL COMPANY					
0457516	BLANKET PO	09/05/2014	10-90-251 GAS & OIL	595.01	
Total JENKINS OIL COMPANY:				595.01	
JONES PAINT & GLASS, INC.					
CP14060100	PAINT-FIRE HYDRANT	08/06/2014	51-40-480 SPECIAL DEPARTMENT SUPPLIES	129.45	
Total JONES PAINT & GLASS, INC.:				129.45	
LEXISNEXIS					
1408119721	119TRN-LEXISNEXIS&RELATED CHAR	08/31/2014	10-44-210 SUBSCRIPTIONS & MEMBERSHIPS	246.00	
Total LEXISNEXIS:				246.00	
LOGAN HAUS KENNELS					
429	NEW K-9	08/20/2014	10-70-640 LIQUOR ENFORCEMENT	10,000.00	
Total LOGAN HAUS KENNELS:				10,000.00	
LOGO ZOO,LLC					
13-1505	CITY PINS	08/18/2014	10-41-613 EXECUTIVE DISCRETION	577.00	
Total LOGO ZOO,LLC:				577.00	
MOTOROLA SOLUTIONS, INC.					
76695356	1036358225 0001-PAGER REPAIR	08/22/2014	10-73-252 EQUIPMENT MAINTENANCE	78.00	
76696043	1036358225 0001-PAGER REPAIR	08/22/2014	10-73-252 EQUIPMENT MAINTENANCE	78.00	
Total MOTOROLA SOLUTIONS, INC.:				156.00	
MOUNTAIN WEST COMPUTERS					
41737	HOSTING MICROSOFT	07/31/2014	10-41-240 OFFICE SUPPLIES & EXPENSE	45.00	
42002	COMPUTER SUPPLIES	08/20/2014	10-70-246 COMPUTER SUPPLIES	147.00	
42149	HOSTING MICROSOFT	08/31/2014	10-41-240 OFFICE SUPPLIES & EXPENSE	45.00	
42175	HP 12A TONER	09/02/2014	10-44-240 OFFICE SUPPLIES & EXPENSE	78.00	
Total MOUNTAIN WEST COMPUTERS:				315.00	
MWI VETERINARY SUPPLY CO.					
2602871	SHOTS FOR AMINALS	09/08/2014	10-76-310 PROF & TECH SERVICES	235.00	
Total MWI VETERINARY SUPPLY CO.:				235.00	
NATIONAL RURAL WATER ASSOC					
9/2014-9/2015	NRWA MEMBERSHIP	09/01/2014	51-40-210 SUBSCRIPTIONS & MEMBERSHIPS	25.00	
Total NATIONAL RURAL WATER ASSOC:				25.00	
NEOPOST USA INC.					
52023047	ALL INCLUSIVE METER	09/01/2014	10-41-240 OFFICE SUPPLIES & EXPENSE	349.50	
Total NEOPOST USA INC.:				349.50	

Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
NETDUTY SOFTWARE, GALLATIWEB, LLC					
CEDARPD1	ANN. FEE / SETUP FEE SOFTWARE	09/01/2014	10-70-312 COMPUTER & TECH CONTRACTS	2,208.00	
Total NETDUTY SOFTWARE, GALLATIWEB, LLC:				2,208.00	
PUBLIC SAFETY CENTER, INC.					
5516164	5233-E-FLARES-SOCK HOODS	06/13/2014	10-70-450 SPECIAL PUBLIC SAFETY SUPPLIES	79.98	
5527829	5233-SPIT SOCK HOOD	09/30/2014	10-70-450 SPECIAL PUBLIC SAFETY SUPPLIES	156.41	
Total PUBLIC SAFETY CENTER, INC.:				236.39	
QUEST BUSINESS SYSTEMS, INC.					
9652	LICENSE/MAINTENANCE/SUPPORT	08/28/2014	10-70-312 COMPUTER & TECH CONTRACTS	750.00	
Total QUEST BUSINESS SYSTEMS, INC.:				750.00	
R-57 ELECTRIC					
1156	OUTLETS ON MAIN FOR SUU	09/01/2014	10-53-671 MAIN STREET DECORATION SUPPORT	65.00	
1157	ELECTRICAL WORK	09/01/2014	51-40-255 WATER SYSTEM MAINTENANCE	91.83	
Total R-57 ELECTRIC:				156.83	
ROSS EQUIPMENT CO., INC.					
00101375	003017-REBUILD KIT	07/07/2014	10-73-252 EQUIPMENT MAINTENANCE	106.83	
Total ROSS EQUIPMENT CO., INC.:				106.83	
SCHOLZEN PRODUCTS COMPANY					
909622	100592-MISC SUPPLIES	09/04/2014	51-40-255 WATER SYSTEM MAINTENANCE	21.75	
910539	100592-MISC SUPPLIES	09/10/2014	51-40-255 WATER SYSTEM MAINTENANCE	796.69	
911024	100592-CHANNEL-HOT ROLL	09/11/2014	10-73-262 BUILDING & GROUND MAINTENANCE	145.30	
Total SCHOLZEN PRODUCTS COMPANY:				963.74	
SOUTHWEST UTAH PUBLIC HLTH DPT					
4828	EMPLOYEE VACCINATIONS -POLICE	09/05/2014	10-44-138 EMPLOYEE HEALTH	60.00	
Total SOUTHWEST UTAH PUBLIC HLTH DPT:				60.00	
SPECTRUM					
L9851	BLANKET PO	07/18/2014	10-41-220 PUBLIC NOTICES	128.68	
L9869	BLANKET PO	07/25/2014	10-41-220 PUBLIC NOTICES	95.05	
L9932	BLANKET PO	08/20/2014	10-41-220 PUBLIC NOTICES	47.50	
L9934	BLANKET PO	09/03/2014	10-41-220 PUBLIC NOTICES	131.67	
L9936	BLANKET PO	08/21/2014	10-41-220 PUBLIC NOTICES	84.23	
L9970	BLANKET PO	08/27/2014	10-41-220 PUBLIC NOTICES	151.62	
Total SPECTRUM:				638.75	
SPENCER ASPHALT MAINTENANCE					
2497	CHIP SEAL CRACK SEAL	09/13/2014	24-40-730 CAP OUTLAY-IMPROVEMENTS	552.00	
2498	CHIP SEAL CRACK SEAL	09/13/2014	24-40-730 CAP OUTLAY-IMPROVEMENTS	2,075.30	
2499	CHIP SEAL CRACK SEAL	09/13/2014	24-40-730 CAP OUTLAY-IMPROVEMENTS	8,010.18	
2500	CHIP SEAL CRACK SEAL	09/13/2014	24-40-730 CAP OUTLAY-IMPROVEMENTS	6,008.30	
Total SPENCER ASPHALT MAINTENANCE:				16,645.78	

Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
STAKER PARSON COMPANIES					
3613254	260116-ASPHALT/SLURRY	08/27/2014	51-40-255 WATER SYSTEM MAINTENANCE	567.00	
3615881	260116-ASPHALT/SLURRY	08/28/2014	51-40-255 WATER SYSTEM MAINTENANCE	639.84	
3616180	260116-ASPHALT/SLURRY	09/03/2014	51-40-255 WATER SYSTEM MAINTENANCE	216.00	
Total STAKER PARSON COMPANIES:				1,422.84	
SUNRISE ENVIRONMENTAL					
41486	03CE11539-ARMOR GUARD	08/27/2014	10-73-261 JANITORIAL SUPPLIES	184.68	
Total SUNRISE ENVIRONMENTAL:				184.68	
SUU ACCOUNTS RECEIVABLE					
S0027826	WATER LAB TESTING	09/03/2014	51-40-255 WATER SYSTEM MAINTENANCE	220.00	
Total SUU ACCOUNTS RECEIVABLE:				220.00	
TACTEC					
13597	REMOTE RADIO/CABLE	08/26/2014	10-73-450 SPECIAL PUBLIC SAFETY SUPPLIES	231.00	
Total TACTEC:				231.00	
THE VAULT GUN AND PAWN					
30041	AMMUNITION	08/26/2014	28-40-730 CAP OUTLAY - IMPROVEMENTS	49.99	
Total THE VAULT GUN AND PAWN:				49.99	
TURF EQUIPMENT CO.					
367602-00	TURFCCO TOP DRESSER REPAIRS	05/16/2014	28-40-252 EQUIPMENT MAINTENANCE	898.59	
Total TURF EQUIPMENT CO.:				898.59	
UNIFIRST CORPORATION					
3520340815	200012-MATS	09/10/2014	61-40-262 BUILDING & GROUND MAINTENANCE	24.90	
3520340854	UNIFORM SERVICE	09/10/2014	10-78-451 UNIFORM SERVICE	75.56	
Total UNIFIRST CORPORATION:				100.46	
UPPER CASE PRINTING, INK.					
8615	BLANKET PO	09/05/2014	10-41-221 NEWSLETTER	496.40	
Total UPPER CASE PRINTING, INK.:				496.40	
UTAH PROSECUTION COUNCIL					
10/15-10/17/14	CONFERENCE -CIVIL PRACTICE	09/10/2014	10-44-230 TRAVEL & TRAINING	75.00	
Total UTAH PROSECUTION COUNCIL:				75.00	
WASHINGTON COUNTY SOLID WASTE					
13830	RECYCLING PICK UP	08/31/2014	55-40-641 RECYCLING PROGRAM	1,600.00	
Total WASHINGTON COUNTY SOLID WASTE:				1,600.00	
WATER SAFETY PRODUCTS INC.					
148130	SWIM DIAPERS	09/12/2014	20-40-481 MERCHANDISE	1,663.00	
Total WATER SAFETY PRODUCTS INC.:				1,663.00	

Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
WAXIE SANITARY SUPPLY					
74712943	JANITORIAL SUPPLIES	07/18/2014	20-40-261 JANITORIAL SUPPLIES	2,105.52	
74721071	JANITORIAL SUPPLIES	07/23/2014	20-40-261 JANITORIAL SUPPLIES266.46		
74721077	BLANKET PO	07/23/2014	10-83-261 JANITORIAL SUPPLIES451.55		
74725838	JANITORIAL SUPPLIES	07/25/2014	20-40-261 JANITORIAL SUPPLIES111.32		
74733601	JANITORIAL SUPPLIES	07/30/2014	20-40-261 JANITORIAL SUPPLIES	55.00	
74756437	JANITORIAL SUPPLIES	08/11/2014	20-40-261 JANITORIAL SUPPLIES152.96		
Total WAXIE SANITARY SUPPLY:				3,142.81	
WHEELER MACHINERY COMPANY					
RD0000013974	015002-EQUIPMENT RENTAL	08/29/2014	10-79-269 MAINTENANCE-CHIP SEALING	4,550.00	
RS0000012164	015002-EQUIPMENT RENTAL	07/31/2014	10-79-269 MAINTENANCE-CHIP SEALING	4,559.50	
RS0000012165	015002-EQUIPMENT RENTAL	07/31/2014	10-79-269 MAINTENANCE-CHIP SEALING	3,299.50	
RS0000013976	015002-EQUIPMENT RENTAL	08/29/2014	10-79-269 MAINTENANCE-CHIP SEALING	3,290.00	
Total WHEELER MACHINERY COMPANY:				15,699.00	
Grand Totals:				126,359.27	

Dated: _____

Mayor: _____

City Council: _____

City Recorder:

Renon Savage

City Treasurer:

Wendy C. Bony

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

CEDAR CITY COUNCIL
AGENDA ITEMS V - 4
DECISION PAPER

TO: Mayor and City Council

FROM: Paul Bittmenn

DATE: September 15, 2014

SUBJECT: Consider a mining rights lease.

DISCUSSION:

During the Council Work Meeting there was a request to change the dust control section of the agreement. Attached is the modified agreement. It eliminates the previous daily dust control requirement and replaces it with a reference to the State's division of air quality administrative rules.

A copy has been sent to Coal Creek Gravel. They have replied that the change, "looks great".

Please consider approval of the lease agreement.

MINING RIGHTS LEASE

This agreement is entered into and becomes effective on the _____ day of _____, 2014, between Cedar City Corporation, a Utah municipal corporation and political subdivision of the State of Utah, herein referred to as "CITY"; and Coal Creek Gravel, L.L.C., a corporation, herein referred to as "LESSEE".

WHEREAS, CITY owns approximately 17 acres of real property located in the vicinity of 1955 North Bulldog Road, more particularly described as follows, to wit:

Beginning at the Northwest Corner of the NE¼ SW¼ of Section 34, T35S, R11W, SLM; thence N 89°54'18" E, 986.68 ft. along the 1/4 section line; thence S 0°00'18" W, 481.01 ft.; thence S 89°54'18" W, 375.30 ft.; thence S 39°36'42" W, 958.88 ft.; thence N 0°00'04" E, 1218.70 ft. along the 1/16 section line to the point of beginning.
Containing 16.14 acres of land.

WHEREAS, in accordance with CITY's purchasing policy CITY has held a public hearing, received bids, and received public comment prior to entering into this lease; and

WHEREAS, CITY has a continuing interest in the management and storage of runoff water; and

WHEREAS, the airport protection zones limit the height of structures or improvements that may be located on the above property; and

WHEREAS, the property LESSEE wants to lease from CITY is generally considered to be a rich source of gravel, dirt, and sand. It is for the purpose of mining gravel, dirt, and sand that LESSEE submitted a bid to lease the above described property from CITY; and

WHEREAS, the CITY makes no representations or warranties as to the quality or quantity of gravel, dirt, sand, or other materials that may be available for mining on the property;

and

WHEREAS, CITY is interested in leasing the property for among other things the purpose of generating revenue.

NOW THEREFORE the CITY and LESSEE agree to the following, to wit:

1. This agreement shall remain in effect for twenty (20) years from the effective date listed above, or until LESSEE has removed the maximum volume of material from the site, or unless terminated in accordance with the terms and conditions contained herein, whichever comes first. Any extension of the length of this agreement must be agreed upon by both parties and reduced to writing. The five hundred thousand (500,000) cubic yards of material removable from the property is contingent on the following: (1) relocation or abandonment of the existing water and sewer main lines running through the property, and; (2) the material may be safely removed while maintaining proper side slopes as set forth herein. Any relocation of the water and/or sewer lines must be completed at LESSEE's sole cost, in accordance with City specifications, and conducted in a manner that will minimize the impact on those relying on these lines for sewer and water service.
2. LESSEE shall have the right to mine the maximum volume of material from the site. For purposes of this agreement the maximum volume of material shall be defined as an amount not to exceed five hundred thousand (500,000) cubic yards of gravel, dirt, and sand from the site. CITY reserves all rights to all other surface or subsurface materials, gases, or liquids.

- A. For purposes of this agreement "gravel" means an unconsolidated mixture of pebbles or rock fragments, and excludes any remarkable mineral such as coal, iron, copper, gold, silver, and the like, as well as any liquid or gaseous substance or deposit on the property.
- B. For purposes of this agreement "dirt" means loose earth or soil, and excludes all other remarkable minerals, all liquids, and all substances in a gaseous state.
- C. For purposes of this agreement "sand" means a substance consisting of fine particles of eroded rocks, and excludes all other remarkable minerals, all liquids, and all substances in a gaseous state.

LESSEE shall also have the right to locate such green waste recycling facilities on the leased property as may be mutually agreed to between CITY and LESSEE. The green waste recycling facilities shall be located in such a manner so as not to obstruct CITY or LESSEE's access to the gravel mining operations and to provide for the safety of LESSEE, CITY employees and the public.

- 3. Immediately prior to beginning any mining operations on any portion of the property LESSEE shall, at LESSEE's sole expense, clear all brush, debris, grass, etc.... from the portion of the property to be immediately mined. Thereafter, LESSEE shall contract with a civil engineering and surveying company of their choice to establish the base topography of the entire leased property. LESSEE shall have the property re-surveyed every year, and submit a report to the City Engineer as to how much material has been mined.

4. LESSEE shall have a permissive right of way across the approximately three hundred (300) foot of CITY property between the leased property and Bulldog Road at a location to be mutually agreed upon by LESSEE and CITY. Storage of material and/or equipment shall not be allowed on any CITY property not included in the lease. LESSEE shall maintain a 1:1 slope on all sides of the property unless LESSEE owns the adjacent property and indemnifies and holds the City harmless from any slope that is steeper than 1:1. Unless the water and sewer lines are abandoned or relocated in accordance with the terms contained herein, LESSEE shall maintain a 2:1 slope along on either side of the lines.
5. Throughout the entire property, LESSEE shall employ necessary and appropriate daily dust control procedures that meet or exceed the standards established by the State of Utah Air Quality Board and set forth in Utah Administrative Rule R307-205-7 as currently adopted or as may hereinafter be duly amended, or such other applicable administrative rules duly adopted by the Utah Air Quality Board.
6. Prior to commencing mining operations LESSEE and CITY shall agree to a location on the property to be set aside for the exclusive use of CITY to mine material including, but not limited to, dirt, gravel, and sand. In order to avoid billing conflicts, CITY shall keep track of the amount of material CITY removes from the property. While the access to the property may be gated and locked, CITY shall be provided a key to the pit and CITY shall have unimpeded access to the property to conduct mining operations. CITY and LESSEE agree to mutually cooperate so as to avoid conflicts that may result due to mutual mining

activities.

7. In order to reclaim the property once the mining effort is complete, LESSEE shall remove all equipment, debris, or other material that is not native to the property. This shall include cleaning up all spills of oil, gas, or other industrial material. The cleanup shall require the removal of such material in accordance with standards now in place or as may hereinafter be adopted by State or Federal regulating bodies. LESSEE shall also grade the bottom of the pit to no slope is greater than a 8:1 incline. LESSEE shall hydro-seed the entire area with the same mixture of native plants as is used by the State of Utah Department of Transportation for hydro-seeding activities or such other comparable mixture as is agreed upon between CITY and LESSEE. LESSEE shall leave the pit in such condition that CITY may be able to use the pit for water reclamation or storm drain control.
8. LESSEE shall pay to CITY eighty cents (\$0.80) per cubic yard of material removed from the property. CITY, at CITY's sole and exclusive discretion, may adjust the lease amount every five (5) years during the term of the lease. The amount of the adjustment may not exceed the average change in the United States consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics and as may be re-published by the State of Utah Department of Workforce Services. Changes to the required lease rate shall be communicated in writing to LESSEE. Payment shall be as follows:
 - A. On or before the yearly anniversary of this agreement LESSEE shall cause the property to be surveyed as stated herein. LESSEE shall provide all information

generated by the survey to CITY. Within thirty (30) days of completing the survey payment shall be made by LESSEE to CITY. Failure to timely pay the yearly lease rate shall be grounds for CITY to terminate the lease agreement.

9. In cases of a dispute, attorney fees and costs shall be paid individually by each party.
10. Upon the completion of either the time period stated herein, excavation of the quantity of materials stated herein, or termination of the agreement in accordance with the terms set forth herein, LESSEE shall have thirty (30) days to reclaim the property pursuant to paragraph 8, and thereafter shall have no rights to enter the property. At all times CITY shall maintain ownership of the property.
11. Until all of LESSEE's equipment and property is removed from the property, LESSEE shall indemnify and hold harmless Cedar City, its elected and appointed officials, its employees, agents and assigns from any and all damage caused during LESSEE's use of the property. To that end, LESSEE shall maintain all workers compensation and unemployment insurance as may be required by the State of Utah. LESSEE shall maintain liability insurance in the minimum of three million dollars (\$3,000,000.00) per occurrence with an aggregate amount that is typical in the industry for a mining operation and exceeds the per occurrence amount. CITY shall be named an additional insured on LESSEE's liability insurance policy. LESSEE shall provide City a certificate of insurance upon entering the lease showing CITY as an additional insured. With each annual payment LESSEE shall provide City a current certificate of insurance. City reserves the right during the course of this agreement to adjust the insurance requirements. Failure to maintain the above stated insurance, or name CITY as an

